

## **FROM THE DIRECTOR'S DESK**

### **NEW DIRECTION FOR WATERSHED MANAGEMENT**

Over the past several months, the Division has come under considerable criticism for failing to effectively communicate with the watershed management stakeholders. Those months represent a six-month learning curve - the difference between being appointed the Director of the Division of Watershed Management and being able to clearly articulate the direction of the watershed management program. That learning curve has been steep, and I appreciate the stakeholders' patience as I achieve a level of understanding equal to your own.

Foremost, I wish to recognize and applaud the efforts and dedication of our partners and stakeholders in the process of watershed management: the Public Advisory Committees and Technical Advisory Committees in each of the twenty watershed management areas (WMAs); those who provide comments on our proposed rules and water quality management plan amendments; and those who have taken the initiative to design, build and operate environmental restoration projects with federal and State funding. This investment of "sweat equity" and financial resources has resulted in substantial achievements in areas around the State. Unfortunately, many of the watershed plans failed to identify specific sources of pollution and specific actions needed to control or eliminate those sources. Similarly, the Division has spent considerable money in the past on worthwhile restoration and retrofit projects, but we have been unable to document real success in achieving water quality improvement. This is likely due to the dilution of our efforts over broad areas of the State in an attempt to "keep everyone happy."

The overarching goals of the Watershed Management Program have not changed. They remain: comprehensive water resource management on a watershed basis to ensure "clean and plentiful water" for the residents of New Jersey and their descendants; and the protection and restoration of the integrity of New Jersey's water resources by preventing, abating and controlling water pollution to achieve the goal of "fishable and swimmable waters" statewide. However, Commissioner Campbell has clearly expressed his direction that the future of watershed management must move away from the traditional planning module and be built around unambiguous standards designed to protect water quality and an agenda for discreet actions aimed at improving water quality where it is already impaired.

As you know, Governor McGreevey is faced with the challenge of closing a half billion-dollar budget gap. This deficit mandates that the Department of Environmental Protection and the Division of Watershed Management become more provident in managing our fiscal resources. With the tightening of our budget, it is necessary that the Division seek out projects that will result in definitive results and avoid the duplication of effort that pervades the current watershed management program. The Division can no longer afford to let contracts that do not clearly articulate the expected results, or which contribute to a seemingly endless cycle of planning.

To this end, the future direction of the watershed program will follow two paths: a standards based approach for preventing water quality degradation, and an action approach to remedying existing water quality problems. Currently, the Division attempts to protect water quality under the authority of the Water Quality Management Planning Rules and Executive Order 109. A major failing of the current process is that it demands numerous environmental analyses that in most cases do not yield a clear answer, often because these analyses are conducted on a site-by-site basis where cumulative impacts cannot be assessed. As an interim measure, the Division is revising its EO 109 guidance to provide clearer standards. Ultimately, a new Water Quality Management Planning Rule will be adopted rendering EO 109 obsolete. This Rule will prescribe acceptable development based on the carrying capacity of the State's water resources. In this way new water quality impairments will be avoided.

Restoration of water quality impaired stream segments is being addressed through an aggressive schedule for developing total maximum daily loads (TMDLs). This spring the Division proposed 151 fecal coliform TMDLs and 28 eutrophic lake TMDLs. Each TMDL will have an accompanying implementation plan designed to control the identified sources of pollution. Depending on the pollutant, that action plan might involve any combination of the following: local ordinance adoption, wildlife control, engineered retrofits, enforcement and restoration projects. In an effort to effect measurable water quality improvement, the Division will seek to identify a discreet water quality impaired segment in each of the twenty WMAs where we will concentrate our efforts. The Division will ask the WMAs to participate in the preparation of a more detailed watershed plan for these segments that will first identify the specific sources of fecal coliform affecting that segment. Once the specific causes of water quality impairment have been identified, a restoration plan with specific actions designed to control those identified sources will be developed. In year two these actions will be implemented while the planning phase shifts to a new discrete segment. The goal is to document real water quality improvement by the end of the second year.

This shift in emphasis has necessitated changes in the Division of Watershed Management as well. The recently completed reorganization of the Division is intended to eliminate internal duplication of effort by managing our work more on functional rather than geographic boundaries. The reorganization has consolidated the five watershed planning regions into two watershed management regions: the north consisting of the Piedmont, Highlands and Ridge and Valley physiographic provinces and the South consisting of the Inner and Outer Coastal Plains. Two new Bureaus have also been created. The first is the Bureau of Environmental Analysis and Restoration, whose primary mission is to develop TMDLs and the technical and scientific basis for decision-making in the Division. The second is the Bureau of Evaluation and Management, whose primary mission is to ensure that funds are expended consistent with the goals of the Division, to meet federal reporting requirements and to assess our effectiveness. Two additional offices have been created in the reorganization: the Office of Outreach and Education whose mission is to meet the education needs of both staff and the public in coordination with the other Bureaus. Lastly, the Office of Water Resource Policy and

Planning is intended to formulate policy, effect Rules to implement water policy, conduct water supply planning and ensure consistency throughout the Division.

Clearly local support for these efforts remains critical to our success, and I look forward to continuing a productive relationship with our local partners.

Larry Baier, Director